



## YOUTH COMMUNITY CORRECTIONS BUREAU STANDARD OPERATING PROCEDURES

Procedure No.: YCC 200-6	Subject: <b>YOUTH RESTITUTION TRACKING</b>
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Applicable ACA Standards:	Revision Date: 01-06-09
Signature: /s/ Karen Duncan	Effective Date: 11-23-07
Signature: /s/ Steve Gibson	

### I. BUREAU DIRECTIVE:

The Youth Community Corrections (YCC) Bureau is responsible for monitoring the youth restitution accounts for the youth in juvenile parole status, with the Youth Services Division (YSD) of the Department of Corrections. The restitution can be ordered by the youth court district judge or required by a DOC Hearings Officer for damage to state property. Refer to definitions for further clarification of types of restitution. This procedure will be reviewed annually and updated as needed.

### II. DEFINITIONS:

**Court-Ordered Restitution and Associated Financial Obligations** - any financial payments or services paid in response to a Youth Court Order with a specific condition of the order for the youth to pay a designated amount toward restitution, fines, fees and other costs.

**Department-Required Restitution** - any financial payment or services required by a Department program or facility to pay for loss and/or damage to state property caused by a youth.

**Juvenile Court Assessment & Tracking Tool (JCATS)** – Youth Probation database.

**Restitution** - financial payments or services to a victim when these payments are made pursuant to a youth court order or to the state following a facility/program requirement.

**Restitution Database** – a database established to account for the monetary restitution ordered for a parole youth. The database reflects the amount of court-ordered or facility-ordered restitution, the payments the youth makes toward that restitution, and any payments made to the victim(s) of the youth while in the custody of the Youth Services Division of the Department of Corrections.

### III. PROCEDURE:

#### A. Restitution for Youth Committed to the YSD of the Department of Corrections

1. When a youth is committed to the Department for placement in a secure facility, the Regional Administrative Officer (RAO) will obtain a copy of the court orders and Department required restitution identifying the amount of restitution owed by the youth.

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2. The RAO will verify with Youth Court the balance in the youth's account and the total payments, if any, made toward reduction of the court-ordered restitution obligation.
3. The RAO will enter into the Restitution Database all youth committed to the Department for placement in a secure facility, regardless if there is a restitution obligation. If the youth court received restitution payments from the youth or the youth's family prior to his/her commitment to the Department, the RAO will total the payments and enter the total in the database, as an adjusted amount. Subsequent payments received will be entered singularly and in a timely manner to maintain an accurate balance. Required information for the Youth's Form:
  - a. Name of youth;
  - b. CAPS ID;
  - c. SSN;
  - d. Youth ID;
  - e. Date of Birth;
  - f. Address;
  - g. Juvenile Parole Officer (JPO);
  - h. Financial county of responsibility;
  - i. Payee;
  - j. Restitution amount; and
  - k. Type of order; i.e., court-ordered or Hearings Officer-ordered
  - l. JCATS #
4. When parole youth have restitution assessed to them by a Hearings Officer or other Department source, the RAO will be provided a copy of the [Acknowledgment of Restitution Responsibility \[YCC 60-8\(A\)\]](#). The amount of restitution will be added to the database total. The RAO will maintain monthly contact with the parole youth's parole officer, designated staff at Pine Hills, Riverside and the Youth Transition Centers (YTC) for facility-ordered restitution and payment information.
5. When the parole youth participates in a restitution program at the facility, or is employed while in the community, restitution payments will be accounted for by the RAO assigned to the youth's financial county of responsibility. Additionally, any other changes to the restitution amount will be reflected in the account; i.e., payments made to victims or court-ordered forgiveness of restitution.
6. For our purposes, a modified court order must be received by the RAO in order to alter the original court-ordered amount reported in the database.

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7. Each month the RAO will contact the parole youth's parole officer, designated staff at Pine Hills, Riverside, the YTC, and the Probation Restitution Officer for each judicial district, in order to determine if any payments were made toward the court ordered restitution amount. This amount will be posted to the Payee Form in the Restitution Database. Required fields to be filled out in the Payee Form are:
  - a. Date of payment received
  - b. the date the entry of payment received was entered into the database
  - c. enter the amount of the payment
  - d. note C or H for what type of ordered restitution is being offset
  - e. check if the amount is an adjustment
  - f. note any comments if necessary
8. The RAO will generate a monthly report of restitution accounts for each of their JPOs. The Financial & Program Services Supervisor will generate a monthly report for the YCC Bureau Chief.

**B. Closing out restitution/income accounts on the database**

1. There are several situations when a youth's restitution/income account will be closed:
  - a. for income accounts, the youth leaves the YTC;
  - b. the youth pays the restitution in full; or
  - c. the youth court (presiding over the youth) dismisses the restitution balance when the youth reaches age 18. (A court may order restitution to continue after age 18, in which case the responsibility for collection returns to the youth court.)
2. Once restitution has been satisfied, it is the procedure of the Probation Restitution Officer to forward a receipt to the JPO indicating the youth has paid in full. If the RAO's records do not reflect payment in full (due to Department-imposed restitution or an error), the RAO will contact the JPO and advise them the youth has not met their full restitution obligation.
3. When a parole youth is discharged from the Department of Corrections, the YSD Administrative Officer will provide to the financial county of responsibility RAO a copy of the Request for Discharge of Youth form. This form indicates the restitution ordered amount and the balance owed. The balance on this form should match the database balance noted on the Payee Form.

**IV. CLOSING:**

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Questions concerning this procedure shall be addressed with the Financial and Program Services Supervisor.

**V. REFERENCES:**

<u><a href="#">53-1-203 MCA</a></u>	<u><a href="#">Powers and Duties of the Department of Corrections</a></u>
<u><a href="#">YCC 5.7.1</a></u>	<u><a href="#">Youth Restitution</a></u>
<u><a href="#">YCC 60-8</a></u>	<u><a href="#">Restitution (Youth)</a></u>

**VI. ATTACHMENTS:**

None